

REMARKS

With entry of this amendment, claims 1-9 and 11-19 remain pending in the application. Claims 1 and 5 have been amended to address the formalities resulting in claim objections as detailed in Paper No. 20061129, page 2, first paragraph. Currently, claims 1-4, 6, 8, 9 and 12-19 are objected to based on the phrase “is aligned remains aligned” as previously found in claim 1, line 8 and claim 5, line 8. Additionally, the Examiner found ambiguity as to the item with which the head of the key remains aligned. Also, the term “therethrough” was found to be unclear as to the structure to which it refers. Also in claim 5, line 15, a lack of antecedent basis was found to exist for “the geometric shape.” Applicant believes the above amendments to claims 1 and 5 satisfy these objections. Lastly, claims 1 and 5 are also objected to for not positively claiming the key or the key ring. To address this recitation, claims 1 and 5 have been amended to now recite a key securement inclusive of a positive claim recitation of a key, a key ring and a key cover. In light of the above amendments, all the objections to the pending claims are believed to have been addressed. Support for these amendments is found in claim 11 as originally filed, and as such it is submitted that no new matter has been added by way of these amendments. Dependent claims 2-4 and 6-9, and claim 11 have been amended to change “key cover” to “key securement” consistent with the preamble changes to independent claims 1 and 5.

Currently, claims 1-4, 6, 8, 9 and 12-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DM/059931 in view of Cicourel, Ridgway (US 1,794,498), and either Rafter or Bianchi, all previously of record. The DM reference is cited as teaching the basic features of the claimed invention inclusive of a key head cover having sidewall apertures in registry with the opening of a key head, an outer wall having edges spaced from the bottom edges of the first and second sidewalls, and tactile features on both sidewalls as well as on the bottom edges of the

sidewalls with reference to Figs. 6.2, 2.2 and 2.3 of the DM reference. The sidewalls are considered to define a rear contact plane which is secured throughout their rear contact plane tactile feature, namely a house icon as shown in Fig. 2.3. (Paper No. 20061129, page 2, paragraph spanning pages 2-3). Applicant disagrees with this characterization of the teaching of the DM reference and reiterates the declaration of Elana Casselli submitted under 37 C.F.R. 1.132 on or about 8 December 2004 indicating that the DM reference fused tactile features such as a house icon to an otherwise planar sidewall through the use of a technique such as brazing. Cicourel is cited for teaching a tactile feature (reference numeral 5) in the sidewall of a key cover where the tactile feature is secured throughout the rear contact plane with the plane of the sidewall and is therefore integrally formed.

Ridgway is newly cited for a key cover in which key cover apertures align with a key head opening only through a key ring passing therethrough. Applicant concedes this alignment to be prior art and indeed it is submitted that such a feature is inherent in the DM reference. Rafter is cited as teaching a key head cover 12 with reference to Figure 5 that includes a house icon formed from metal as set forth in column 6, line 27. Bianchi is cited as teaching a key head cover formed of a thermoplastic.

The basis of the rejection is that:

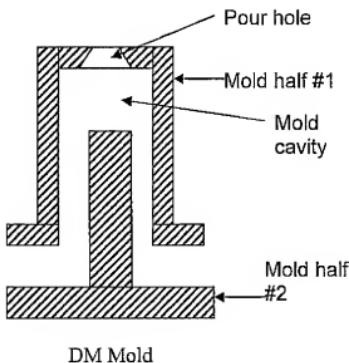
It would have been obvious to form the tactile features of the DM reference as being secured throughout their rear contact plane to the plane of the sidewalls, and as a single material with the sidewalls, in view of the teaching of Cicourel, the motivation being to optimize the strength of the connection between the tactile features and the sidewall, as well as to simplify the assembly of the key head cover. It would have been obvious to modify the key head cover of the DM reference such that it has its apertures aligned with a key head only by a key ring, in view of the teaching of Ridgway, the motivation being to simplify the sliding installation of the key head cover on a key head. It would have

been obvious to form the key head cover of the DM reference as modified by Cicourel, to be formed from metal or thermoplastic, in view of the respective teaching of Rafter or Bianchi, the motivation being to optimize the strength of the cover (Rafter, metal) or to optimize the comfort in holding the key cover (Bianchi, thermoplastic).

Applicant submits that the motivation to strengthen the connection between the tactile features in the sidewall, as well as to simplify the assembly of the key head through the combination of the DM reference and Cicourel is misplaced. Cicourel only teaches the formation of the key cover with projections 5 being formed "of rubber or the like" (lines 29-31) and that the material is elastomeric such that it is stretched over the handle part (head of the key). Applicant submits that the elastomeric nature of the key cover according to Cicourel negatively impacts the motivation for forming a key cover according to the present invention. To further focus the issue at hand, Applicant has amended pending independent claims 1 and 5 to restrict the key cover to formation from a metal. It is suggested that a motivation for this combination is "to simplify the assembly of the key head cover." It is respectfully submitted that this is not the case as one of ordinary skill in the art would recognize that the casting of a key cover with the tactile features integral with the side wall prevents simple removal of a cast key cover from a mold cavity thereby considerably increasing assembly of the inventive key head cover contrary to the motivation stated in the outstanding Office Action.

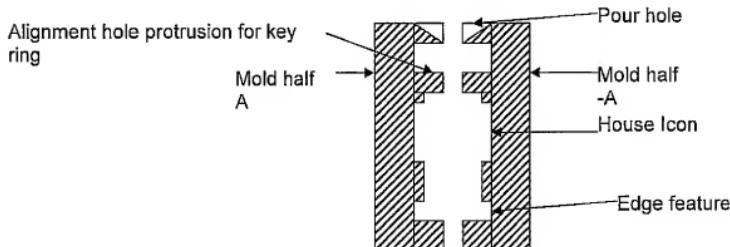
To illustrate the motivation **NOT** to form a key cover according to the present invention, reference is made to the following mold cross sections. Applicant is providing such argument not to provide process limitations to the pending article claims but rather to suggest that one of ordinary skill in the art would lack the motivation outlined in the outstanding Office Action based on the increased, as opposed to simplified, assembly of an inventive key cover.

The following drawing represents a two-part mold for forming a key cover blank according to the DM reference. The key cover blank lacks tactile features provided on the sidewalls or sidewall edges as shown in the DM reference. In casting a key cover blank with the DM mold, the solidified metal casting is readily removed by first removing mold half number two and then pressing the sprue from the pour hole in mold half number one to release a key cover blank having a completely formed recess for receiving the head of the key and requires only minimal deburring and sprue removal. Thereafter the first and second apertures must be drilled through the sidewalls and the tactile features attached as per the 37 C.F.R. 1.132 declaration filed in this application.



- Subsequent steps to molding
 - Attachment of tactile features
 - Drill alignment hole for key ring

In contrast, to form a metal casting as advocated in the outstanding rejection through a reference combination of the DM reference and Cicourel, a corresponding exemplary two-part mold is shown below inclusive of halves A and -A where -A is a mirror image of mold half A. The resulting casting produced from the prior art reference combination DM/Cicourel mold requires subsequent assembly steps of machining a key recess, machining outer wall ends spaced apart from the sidewall edges, full outer wall burr removal, and removal of burrs associated with misalignments associated with misalignment of aperture protrusions A and -A.



DM/Circourel Reference Combination Mold

- Subsequent steps to molding
 - Machine central key recess
 - Machine outer wall ends spaced apart
 - Additional burr removal
 - Remove alignment hole for key ring burr

As a result, the prior art combination mold associated with the DM/Cicourel references includes more assembly steps and more difficult assembly steps in that machining the deep key recess and machining the outer wall ends spaced apart from the sidewall ends represent removal

of considerable material by machining and such practices are time consuming. As an alternative, a combination DM/Cicourel reference mold can include more than two parts or a complete key cover produced by another casting method such as lost wax. However, three or more piece molds or lost wax casting would be recognized by one of ordinary skill in the art to not represent a simplification of the key head cover assembly.

The reason Cicourel is able to integrally mold features reference numeral 5 into a single piece key cover is that unlike the claimed key cover which is made out of metal, Cicourel limits the key cover material to a rubber or other resilient material that is amenable to deformation for removal from a mold cavity. To use the mold of Cicourel to form the claimed metal key cover would necessarily result in the shearing off of the integral tactile features being advocated to be integrally formed according to the prior art reference combination and as such would be a failure.

In light of the above remarks, Applicant submits that one of ordinary skill in the art would lack a motivation to combine the DM and Cicourel references on the basis of the increased complexity of key head cover assembly. As the pending claims have now been limited to metal key covers, Bianchi in teaching a thermoplastic key cover is submitted to no longer be relevant. Applicant has limited the claims to metallic key covers to narrow the issues but reserves the right to later advance claims directed to a thermoplastic key cover that lacks the elastomeric qualities of Circourel.

As noted above, Applicant submits that Ridgway provides no additional teaching relevant to the prior art reference combination not found in the DM reference itself.

Applicant also submits that the prior art reference combination is misplaced in that Rafter while teaching an all metal key cover in fact forms the casing (reference numeral 12 with respect to Fig. 5) from a malleable metal that is indented into a collar 24 and therefore represents a

tactile feature separate from the feature analogous to the claimed sidewall (column 6, lines 22-39). The malleable nature of the casing 12 and the inclusion of tab flanges in the different structural requirements of the screw, make clear that the system disclosed in Rafter while potentially using only metal uses disparate metals to form a key cover.

In light of the motivation for one of ordinary skill in the art to make the prior art reference combination and in particular the combination of the DM reference with Cicourel, Applicant submits that pending independent claims 1 and 5 are nonobvious over the prior art of record. Reconsideration and withdrawal of the rejection as to these claims and the claims that depend therefrom is respectfully requested. With respect to pending claims 2-4, 6-9 and 11-19, Applicant hereby incorporates by reference the previous remarks made of record as to separate bases for patentability of these dependent claims. It is respectfully submitted that Ridgway represents a cumulative reference to the DM reference and as such Applicant deems these remarks germane to the allowability of these claims.

Summary

With entry of this amendment claims 1-9 and 11-19 remain pending in the application. Entry of this amendment is requested to place the application in condition for allowance. Reconsideration and withdrawal of the outstanding objections and rejections is requested.

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Respectfully submitted,

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